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1753

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/086,304

Filing Date

February 28, 2002

First Named Inventor

Peter P. Pronko et al.

Group Art Unit

1753

Examiner Name

Edna Wong

Attorney Docket Number

2115D-002245

ENCLOSURES (check all that apply)

Fee Transmittal Form

Assignment Papers
(for an Application)

After Allowance Communication to Group

Fee Attached

Drawing(s)

Appeal Communication to Board of Appeals and Interferences

Amendment / Response

Licensing-related Papers

Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

After Final

Petition

Proprietary Information

Affidavits/declaration(s)

Petition to Convert to a Provisional Application

Status Letter

Extension of Time Request

Power of Attorney, Revocation
Change of Correspondence Address

Other Enclosure(s)
(please identify below)

Express Abandonment Request

Terminal Disclaimer

Response to Restriction
Requirement; and return receipt
postcard

Information Disclosure Statement

Request for Refund

Certified Copy of Priority
Document(s)

CD, Number of CD(s) _____

Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

Response to Missing Parts/
Incomplete Application

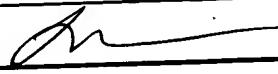
Response to Missing
Parts under 37 CFR
1.52 or 1.53

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Linda M. Deschere	Reg. No. 34,811
Signature			
Date	12/17/03		

CERTIFICATE OF MAILING/TRANSMISSION

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EV 406 075 586 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/086,304

Filing Date: February 28, 2002

Applicant: Peter P. Pronko et al.

Group Art Unit: 1753

Examiner: Edna Wong

Title: Method for Laser Induced Isotope Enrichment

Attorney Docket: 2115D-002245

Director of The United States Patent and Trademark Office

P.O. Box 1450

Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Restriction Requirement dated December 2, 2003, for which Response is being submitted before the due date of January 2, 2004.

Restriction was made with respect to the following inventions:

- I. Claims 1-28, drawn to a method for separating isotopes of an element, classified in class 204, subclass 157.2.
- II. Claims 29-39, drawn to a method for separating chemical species, classified in class 204, subclass 164.
- III. Claims 40-45, drawn to a method of modifying the ionic characteristics of a plasma, classified in class 250, subclass 282.

IV. Claim 46, drawn to a method for vaporizing aggregates in an ablation plume, classified in class 204, subclass 164.

Applicants provisionally elect Group I, Claims 1-28, given that the reply to the requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

Applicants elect with traverse on the basis that the invention of Groups I, II and IV, being in the same class and within the closely classified subclasses, does not pose an undue burden for examination on the Examiner. Applicants respectfully submit that even as to patentably distinct inventions defined in Groups I, II and IV, the policy of the U.S. Patent and Trademark Office is to not require restriction except for certain compelling reasons. Such compelling reasons are each directed to: separate classification; separate status in the art; and different field of search.

However, it has long been recognized that as to the field of search, the Office encourages reasonableness so as to not unduly burden applicants. Thus, only where "it is necessary to search for one of the distinct subjects in places where no pertinent art to the other subject exists, a different field of search is shown...." (*Chisum*, Vol. 4, part 12.02 *et seq.*). However, in the present situation, pertinent art to the subject matter of Groups I, II and IV within class 204 and subclasses 157.2 and 164 can reasonably be expected to show art in one subclass likely being relevant to each of the aforesaid Groups I, II and IV.

Therefore, although the inventions of the aforesaid groups are considered patentably distinct from one another, due to the field of search being closely related and having a high probability of over lapping, undue burden is not placed on the Examiner

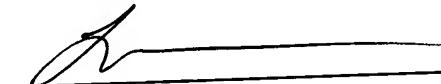
and efficiency is served by examination of aforesaid Groups I, II and IV together, all
classified in class 204, subclass 157.2 and 164.

By this present submission, Applicants make no admission as to the correctness of
the requirement and this submission is being made to further prosecution to allowable
subject matter.

If the Examiner believes that personal communication will expedite prosecution of
this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 12/17/03

By: 
Linda M. Deschere
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